PROVO.

PROVO, UTAH, - Dec. 8, 1893.

First District Court.

Business was yesterday transacted before Judge Smith as follows:

The jury in the Handy-Moffitt forcible entry case returned a verdict of not guilty.

Ed. H. Redfern was tried on the charge of fornication, alleged to have been committed with Josephine Stoggell of American Fork, and the only evidence against him being that of the alleged accomplice, the court instructed the jury to return a verdict of not guilty.

Miss Stoggell is the young lady who arrayed herself in male apparel and accompanied Redfern and a Mr. Watson to Green river, also returned on horseback. Watson was tried and convicted of fornication at the last term of court, and served a term in the penitentiary for the offense. Miss Stoggell has been given accommodations at the Ogden Reform school.

Mrs. Mary S. Van Oudel, of Manassa, Juab county, was arrested a prisoner from R. S. Van Oudel on the ground of desertion.

The mining suit of John W. White et al vs Lanham Brothers came on for trial. On September 5th, 1887, plaintiffs located in Tintic mining district the Mountain View claim, and in June, 1892, defendants located the Last Chance and Ranger claims, practically covering the same ground. The plaintiffs pray for an ejectment, which is resisted by defendants on the ground that plaintiffs have not performed the annual assessment work required by them.

Mrs. Emma Van Fallon entered a plea of not guilty to the charge of murder. The case was set for trial.

Riley Pattee and Darius Haymore, two Payson boys, were arraigned on the charge of burglarizing McCann's saloon in Payson. The statutory time for pleading was taken.

Grand Jury Report.

The grand jury has completed its labors. Following is the substance of the final report submitted:

We have been in session fifteen days—have investigated thirty-three complaints and examined 136 witnesses. There were fourteen United States cases; nine indictments were found, three cases ignored, one recommitted, and one turned over to the grand jury of the Third district court. There were nineteen Territorial cases; twelve indictments were found, six cases ignored, and one case recommitted to the next grand jury. The Utah county jail is in excellent condition. We have to recommend that there be iron shutters placed on the windows of the jail, inside the matting to prevent any knife or weapons from being passed in. We learn from different members of our body that some of the jaile prisoners of the district are in a bad condition, but we have not visited them, as no provision has been made for our traveling expenses. We recommend that three provisions be made for future grand juries.

The report is signed by Otto F. Malmberg, foreman, and Hal Spangler, clerk.

Sales.

Cass Hills was seen on the streets yesterday, a little paler and thinner than during his trial.

There is much speculation as to whether John C. Graham, editor of the *Enquirer*, has been indicted by the grand jury which has just adjourned, for criminal libel on H. H. Irvine, presiding judge of election in the Fifth ward. The *Enquirer* stated, on the authority of H. S. Ryan, another judge of election, that Mr. Irvine possessed two of the ballots. Mr. Irvine was observed yesterday going into the grand jury room with a ballot box in his hand.

A REMORABLE RACE.

THE FIRST PONY EXPRESS ACROSS THE CONTINENT.

Referring to some old-time races, the *Breeder and Sportsman* republishes the following description of a race that stands unparalleled in this country, or perhaps any other, taken from an old western paper. It has passed from the memory of many and will be news to the public at large.

In 1859, St. Joseph, Mo., was the terminus of railroad communication. Beyond, the stage coach, the saddle horse, the ox team and prairie schooner were the means of transportation thence to the Rockies and the Pacific slope.

In the winter of 1859-60 there was a Wall street lobby at Washington trying to get $0,000,000 for carrying the mail overland for one year between New York and San Francisco. The proposition was extremely cheeky, and William H. Russell, backed by Secretary of War Floyd, resolved to give the lobby a cold shower bath. He therefore offered to bet $200,000 that he could put on a mail from Sacramento, Cal., to St. Joseph, Mo., that could make the distance—1980 miles—in ten days. The bet was taken and April 15th fixed upon as the day for starting.

Mr. Russell called upon his partner and general manager of business upon the plains, A. B. Miller, and asked him if he could perform the feat.

Miller replied:

"Yes, sir, I will do it, and by a pony express."

To accomplish this Miller purchased 300 of the fleetest horses he could find in the West and employed 125 men. Eighty of these men were to be pony riders. These he selected with reference to their light weight and known courage. It was very essential that the horses be loaded as light as possible; therefore, the lighter the man the better. It was necessary that some portions of the route should be made at the rate of twenty miles an hour.

The horses were stationed from ten to twenty miles apart, and each rider would be required to ride sixty miles. For the change of animals and the shifting of the mails two minutes were allowed. Where there were no stage stations at proper distances, tents sufficient to accommodate men and horses should be provided. Indians would sometimes give chase, but their repeating pistols made but very slow to their shots—after Miller's thoroughbreds, many of which could make a single mile in 1:47.

All arrangements being completed, a signal gun on the steamer Sacramento proclaimed the meeting of the 15th of April, 1860—the hour for starting—Sam Hunter (Buffalo) Bill Miller's private saddle horse, with Billy Hamp in the saddle, bounded away toward the foothills in the Sierra Nevada, and inside the 20 of twenty miles in forty-nine minutes.

The snows were deep in the mountains and one rider was lost for several hours in a snowstorm, and after the Salt Lake Valley was reached, additional speed became necessary to reach St. Joseph on time. From Ionia all went well until the Platte was to be crossed at Julesburg. The river was up and running rapidly, but ere the flood the rider plunged his steed, only, however, to more and drown in the quicksand.

The courier succeeded in reaching the shore with the mail bag in hand, and traveled ten miles on foot to reach the next relay. Johnny Fry, a regular rider of the day, was to take the flight. He had sixty miles to ride and six hours to do it with. When the last courier arrived at the sixty mile post, out from St. Joseph, he was one hour behind time. A heavy rain had set in and the road was slippery. Two hundred thousand dollars turned upon a single minute. Fry had just three hours and thirty minutes in which to win. This was the flight of the longest race for the largest stake ever run in America.

When the time for his arrival was nearly up at least 5,000 people stood upon the river bank, with eyes turned toward the woods from which the notes and rider shortly emerged into the open country in the rear of Elwood, one mile from the finish. Twelve hundred went thousands of anxious. The time was nearly up—but seven minutes remained. Hark! a shout goes up from the assembled throngs "He comes! He comes!" The noble little man, "Cayuse," the daughter of "Little Arthur," darts like an arrow from the bow and makes the turn of the one mile in 1:58, landing on the ferry-boat with five minutes and ten seconds to spare!

Hair Death

Sterling remedy and cause destroyed (if remedy fails we will refund the money). Do not confound this with other preparations. Sterling Remedy Co., Sole Proprietors, Chicago, Ill. Sterling Hair Remedy Co., Sole Proprietors, Chicago, Ill.

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SUMMONS.

In the District Court in and for the Third Judicial District of Utah Territory, County of Salt Lake.

The National Bank of the Republic, plaintiff,
vs.
William Burns, Mary L. Burns, his wife, and Edward Pepper, defendants.

The People of the Territory of Utah send Greeting: To William Burns, Mary L. Burns, his wife, and Edward Pepper, defendants.

YOU ARE HEREBY REQUIRED to appear in an action brought against you by the above named plaintiff, in the District Court of the Third Judicial District of the Territory of Utah, and in number the cause pending therein, within ten days (exclusive of the day of service) after the service on you of this summons—if served within this county; or, if served out of this county, but in this district, within twenty days; otherwise within forty days—or judgment by default will be taken against you, according to the prayer of said complaint.

Said action is brought to have a decree of this court for the foreclosure of a certain mortgage executed and delivered by defendants, and U. Utah, dated the 20th, 1890, upon property first hereinafter described, given to secure the payment of a certain promissory note of even date herewith, executed by said defendants to said plaintiff, in the sum of $3,000, with interest from maturity at 10 per cent per annum, that the same after date, time being waived, was to become due and payable, to wit: Five hundred dollars in 1 year, $500 and $500 in 2 years, and $500 in 3, 4, and 5 years, and interest thereon from date, and has not interest thereon from date, and has not paid said interest thereon, and the same is now due and payable, and to wit, yourself the owner and holder of said certain parts of said certain mortgage have refused to pay said mortgagee, being the principal and interest thereon, and to date of suing in defendant Edward Pepper to take an order of sale in said suit to satisfy the moneys due to said plaintiff, Edward Pepper, who claims a prior lien on said premises, and to wit, yourself the owner and holder of said certain parts of said